

**Attorney Docket No: 2002576-0001**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	René Robert	Examiner:	R. Weisberger
Serial No.:	09/494,799	Art Unit:	3624
Filing Date:	January 31, 2000		
Title:	SYSTEM FOR ACCESS TO AND EXCHANGE OF MARKET DATA		

Commissioner for Patents  
Alexandria, VA 22313-1450

Sir:

**PETITION FOR CONSIDERATION OF INFORMATION DISCLOSURE STATEMENT**

Applicant requests that the attached Information Disclosure Statement, submitted after final rejection, be entered in the above-referenced application.

The present Information Disclosure Statement contains two references. The first, a data sheet made available by the Bloomberg service, is not prior art to the present application and is submitted only for background information as to post-art developments related to the application. This sheet was not earlier submitted because it was not previously known that it might be of value to the Examiner. The second reference is an article published in April 1999 in *Bloomberg* magazine. This second reference was not previously submitted because it only became known to the Applicant within the last three months.

01/30/2004 SWILLIAM 00000001 031721 09494799

01 FC:2253 475.00 DA

Attorney Docket No: 2002576-0001

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Robert  
Serial No.: 09/494,799  
Filing Date: January 31, 2000  
Title: SYSTEM FOR ACCESS TO AND EXCHANGE OF MARKET DATA  
Examiner: R. Weisberger  
Art Unit: 3624

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**STATEMENT FILED PURSUANT TO THE DUTY OF DISCLOSURE UNDER 37 CFR  
§§1.56, 1.97 AND 1.98**

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants request consideration of this Information Disclosure Statement.

**PART I: Compliance with 37 C.F.R. §1.97**

(Select A, B or C below)

- A. ☐ This Information Disclosure Statement has been filed  
(check 1, 2, 3 and/or 4 below)
1. ☐ within three months of the filing date of the above identified U.S. Patent application.
  2. ☐ within three months of the filing date of the entry of the National Stage, as set forth in 37 C.F.R. §1.491, in an International application.
  3. ☐ before the mailing date of the first Office Action on the merits in the above-identified application.
  4. ☐ with a Request for Continued Examination (RCE) under 37 C.F.R. §1.114.

No fee or certification is required.

B. ☐ This Information Disclosure Statement has been filed more than three months after the filing date of the present application and after the mailing date of this first Office Action, but before the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311.

(check 1 or 2 below)

1. ☐ The fee of \$180 as set forth in 37 C.F.R. §1.17(p) is enclosed.
2. ☐ The Applicants hereby certify, as specified in 37 C.F.R. §1.97(e), that

(check a or b below)

- a. ☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart for this application not more than three months prior to the filing of this Statement.
- b. ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart for this application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Statement.

C. ☒ This Information Disclosure Statement has been filed after the mailing date of either a Final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311 and before payment of an Issue Fee.

(check a or b below)

1. The Applicants hereby certify, as specified in 37 C.F.R. §1.97(e), that:
  - a. ☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart for this application not more than three months prior to the filing of this Statement.
  - b. ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart for this application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated

in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Statement.

2. A Petition requesting consideration of the Information Disclosure Statement is attached.
3. The Petition Fee of \$130 as set forth in 37 C.F.R. §1.17(i)(1) is enclosed.

PART II - Information Cited

☒ A. Applicants hereby make of record in the above-identified application the reference(s) listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

☐ B. The Applicants hereby make the following additional information of record in the above-identified application:

☐ PART III: Explanation of Non-English Language References and Remarks Concerning Other Information Cited

The following is a concise explanation of the relevance of each non-English language reference listed on the attached form PTO-1449 (modified):

The following are remarks concerning the other information cited:

PART IV: Remarks

- ☒ A copy of each of the above-identified U.S. and foreign patent(s) and publication(s) is enclosed.
- ☐ Copies of certain of the above-identified U.S. and foreign patent(s) and publication(s) are not enclosed, because they are of record in parent application \_\_\_\_\_, filed \_\_\_\_\_. References not enclosed are indicated with an asterisk on the attached form PTO-1449 (modified).

It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited patent(s) and publication(s) has (have) been fully considered by the Patent and Trademark Office during the examination of this application; and
3. The citations for the patent(s) and publication(s) be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, Applicants make no representation that a search has been performed, of the extent of any search performed, or that more material information may not exist.


By submitting this Information Disclosure Statement, Applicants make no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, Applicants make no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by Applicants, the Examiner is urged to form his or her own conclusions regarding the relevance of the cited reference(s).

An early and favorable action is hereby requested.

Respectfully submitted,

  
Elizabeth E. Nugent, Reg. No. 43,839

CHOATE, HALL & STEWART  
Exchange Place  
53 State Street  
Boston, Massachusetts 02109  
(617) 248-5000

Dated: August 17, 2003  
3591753\_1.DOC